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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 STEVE MOSHTAGH, an individual on
9 behalf of himself and others similarly situated,

10 Plaintiff,

11 v.

12 THE HOME DEPOT U.S.A., Inc., a Delaware
13 corporation,

14 Defendant.

CASE NO. C19-1205RSM

ORDER DENYING STIPULATED
MOTION FOR PROTECTIVE ORDER

15 This matter comes before the Court on the parties' Stipulated Motion for Protective Order.
16 Dkt. #20. The parties have adapted the Court's model protective order without providing a
17 redlined version identifying departures from the model, as required by Local Rule 26(c)(2). The
18 Court presumes therefore that the only changes to the model order are changes to bracketed text.

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20 The Court finds that the proposed Protective Order does not conform to the requirement
21 that its "protection from public disclosure and use extends only to the limited information or
22 items that are entitled to confidential treatment under the applicable legal principles" as required
23 by Local Rule 26(c)(2). Under the section entitled Confidential Material, the Court's model
24 protective order instructs: "[t]he parties must include a list of specific documents such as
25 'company's customer list' or 'plaintiff's medical records;' do not list broad categories of
26 documents such as 'sensitive business material.'" The parties have not followed these
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1 instructions and instead drafted an order referring to the over-broad categories of “confidential,
2 private, or personal information regarding current or former Home Depot employees;
3 competitive or confidential business information including, but not limited to, customer
4 information, sales and profit information, database information, commercial or proprietary
5 information, trade secrets, research and development information, or other confidential protected
6 information under state or federal law; sensitive financial information, including, but not limited
7 to, sales, profits, budgets, financial statements, profit and loss summaries, or accountant’s
8 computations; sensitive product information including, but not limited to, specifications and
9 designs; sensitive and confidential personal information; documents or information of a Non-
10 Party that the Non-Party currently maintains as confidential and is seeking to continue to maintain
11 confidential; and any other information agreed upon by the parties during the course of
12 litigation.” Dkt. #20 at 2.
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14 Although some specific categories of documents are described, the Court finds that the
15 parties have impermissibly left the door open to labeling a wide variety of documents as
16 confidential. The parties submit no argument to justify this departure from the model protective
17 order’s guidelines. Given all of the above, the Motion will be denied.
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19 Having reviewed the briefing, along with the remainder of the record, the Court hereby
20 finds and ORDERS that the parties’ Stipulated Motion for Protective Order, Dkt. #20, is
21 DENIED.
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23 DATED this 19 day of November 2019.

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25 RICARDO S. MARTINEZ
26 CHIEF UNITED STATES DISTRICT JUDGE
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